

### **REMARKS**

The present Amendment amends claims 1, 7 and 13 and leaves claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17 and 18 unchanged. Therefore, the present application has pending claims 1-3, 5-9, 11-15, 17 and 18.

Claims 1-3, 5-9, 11-15, 17 and 18 stand rejected under 35 USC §103(a) as being unpatentable over Smith (article entitled "The Contract Net Protocol: High-Level Communication and Control in a Distributed Problem Solver") in view of Dvorak (U.S. Patent No. 6,300,904). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1-3, 5-9, 11-15, 17 and 18 are not taught or suggested by Smith or Dvorak whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to each of the claims so as to more clearly describe features of the present invention as it relates to the use of contribution rate information as disclosed in the present application relative to the "fifth embodiment" on page 46, line 5 through page 52, line 12 and as illustrated in Figs. 18, 19 and 34 of the present application.

According to the fifth embodiment of the present invention each device uses contribution rate information which indicates the amount of contribution a process either performed by or performed on the device adds to attain a predetermined purpose. According to the present invention, by use of this contribute rate information a device can either withdraw itself from being linked with other devices

which are intended to accomplish the same purpose, or continue the link. Attention is directed to the flowchart as illustrated in Fig. 34.

The above described features of the present invention are not taught or suggested by any of the references of record particularly Smith and Dvorak whether taken individually or in combination with each other as suggested by the Examiner.

Smith is merely directed to a system having a manager and a plurality of contractors wherein each contractor is connected via the manager and the manager manages the distribution of tasks and performs negotiation processes between the contractors.

Dvorak is merely directed to a narrow band based navigation scheme wherein multiple pulses of narrow band signals of varying frequencies are detected by multiple spaced apart receivers such that average time different of arrivals of the signals from an item to be located are determined.

Thus, as is quite clear from the above neither Smith or Dvorak teach or suggest the features of the present invention as now more clearly recited in the claims wherein contribution rate information is used to determine whether a particular device should remain linked to other devices or not as in the present invention.

Therefore, both Smith Dvorak fail to teach or suggest providing to each of the plurality of devices contribution rate information which indicates an amount of contribution a process either performed by or perform on the device adds to attain a predetermined purpose as recited in the claims.

Further, both Smith and Dvorak fail to teach or suggest extracting plural devices from the plurality of devices, wherein each of the plural devices performs a process to determine whether the device is to be linked with the other devices or not based on the contribution rate information as recited in the claims.

Thus, as is clear from the above, both Smith and Dvorak fail to teach or suggest the features of the present invention as now more clearly recited in the claims. Therefore, combining the teachings of Smith and Dvorak in the manner suggested by the Examiner still fails to teach or suggest the features of the present invention as recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 1-3, 5-9, 11-15, 17 and 18 is respectfully requested.

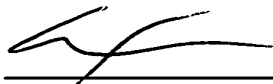
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-3, 5-9, 11-15, 17 and 18.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-3, 5-9, 11-15, 17 and 18 are in condition for allowance. Accordingly, early allowance of claims 1-3, 5-9, 11-15, 17 and 18 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (501.41891X00).

Respectfully submitted,

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